

**THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

LEIGHTON TECHNOLOGIES LLC,

Plaintiff,

v.

**OBERTHUR CARD SYSTEMS, S.A.,
OBERTHUR CARD SYSTEMS OF
AMERICA CORPORATION,**

Defendants.

**Case No. 04-cv-02496
(CM)(LMS)**

~~PROPOSED~~

THIRD AMENDED SCHEDULING ORDER

The parties by their attorneys having stipulated and agreed, and having shown good cause to this Court for modifications to the Rule 16(b) scheduling order,

IT IS HEREBY ORDERED:

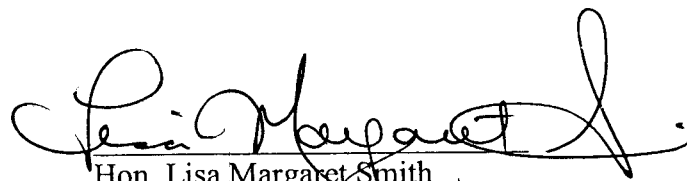
1. All fact discovery shall be completed by April 6, 2006.
2. For any issue for which a party carries the burden of proof, that party shall serve its Rule 26(a)(2) expert reports and disclosures on May 3, 2006.
3. Each party shall serve its rebuttal expert reports on May 17, 2006.
4. Expert discovery shall begin May 17, 2006.
5. Expert discovery shall be completed by June 15, 2006.
6. Service of requests to admit shall be completed by June 22, 2006 and responded to by July 5, 2006.
7. The last day to file dispositive motions shall be July 19, 2006.

The parties shall not contact Judge McMahon about discovery disputes, they shall go directly to Magistrate Judge Smith. An order of reference to Magistrate Judge Smith is attached to this consent scheduling order. The parties are to provide Magistrate Judge Smith with the Order of Reference on or before a scheduled appearance pertaining to discovery issues.

9. A joint pretrial order in the form prescribed in Judge McMahon's individual rules, together with trial memoranda of law, shall be filed within 30 days after the Court issues a decision on dispositive motions referred to in paragraph 7. The Court will then schedule a final pre-trial conference. In limine motions must be filed within 5 days after receipt of notice of a final pre-trial conference; responses to in limine motions are due 5 days after the motions are made. Cases can be called for trial at any time after the final pre-trial conference.
10. Proposed voir dire questions and jury instructions shall be filed with the joint pretrial order.
11. Any party seeking damages from any other party must append to the joint pretrial order a one page addendum explaining the factual and legal basis for the claimed damages, explaining how it proposes to prove damages and setting forth a calculation of anticipated damages.

2. This scheduling order may be altered or amended only on a showing of good cause not foreseeable at the date hereof. *Counsel should not assume that extensions will be granted as a matter of routine.*

Dated: January 30, 2006
White Plains, New York 10601



Hon. Lisa Margaret Smith
United States Magistrate Judge